S.B. Civil Misc. Application No.23/2007
IN
S.B.Civil Second Appeal No.187/2004

Mohanlal.
vs.
Chanwar Lal and others.

Date : 28.5.2007

HON'BLE MR. PRAKASH TATIA, J.

Mr.M Shishodia, for the applicant/appellant.
Mr.RR Nagori, for the respondents.

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Heard.

Learned counsel for the applicant/appellant has submitted an application for extension of time which was granted by this Court vide judgment dated 12.4.2006 in the appellant's own appeal no.187/2004 by which the appellant enjoyed the possession of the property but without complying the condition mentioned in the judgment dated 12.4.2006. The appellant was supposed to enjoy the benefit of said concession upto 30.4.2007 on furnishing undertaking and on payment of decretal amount and rent. Without furnishing the undertaking and without payment of decretal amount, the appellant enjoyed the full benefit.

Now the appellant has submitted this application for extension of time of one year more on the ground that the appellant engaged the counsel for High Court through his local counsel and he had no knowledge of the order of this Court dated 12.4.2006 and he came to know only when the landlord served a notice upon the respondent which is dated 10.2.2007.

The plea taken by the applicant cannot be accepted and otherwise also, the period of one year granted to the appellant was sufficient and, therefore, this Court is not inclined to grant any time to vacate the premises.

Consequently, this application, having no force, is hereby dismissed.

(PRAKASH TATIA), J.

S.Phophaliya